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JUL 06 2007

REMARKS/ARGUMENTS

This is in response to the official action dated April 6, 2007. Reconsideration is respectfully requested.

Claim rejections under 35 USC § 112

The Examiner rejected Claims 1 and 3-10 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 1, which is the only independent claim to clarify the "universal joint mechanism" and to clarify the pivitably connection which is "like scissors". It is clear from the structure and position of the part, that if two moveable parts are pivotably connected to each other in the center, they are movable like scissors.

Claim objections

The Examiner objected to claims 1, 4, 5, 7 and 10 because they create a combination/subcombination issue. It was questioned whether applicant intends to claim just the subcombination of the "joint hinge" and a "carcass of a piece of furniture." Applicant has amended the independent claim making clear that only the universal joint hinge is claimed. The language in the preamble the just for special reference of where the hinge is in relation to the door leaf.

Drawings

Please note that the Examiner objected to the drawings. The drawings must show every feature of the invention in the specified claims. An amendment to the drawing is moot because applicant has amended the claim to delete the reference to the "scissors".

Claim rejections under 35 USC § 103

The Examiner maintained his rejection of claim 1 as being unpatenable over Lautenschlager US

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Patent 4,251, 900 in view of Beneke et al US Patent 5,012, 551. Applicant submits that neither Lautenschläger nor Beneke disclose or suggest a universal joint (or crosslink) hinge in which one of the joint arms of the hinge mechanism comprises portions which are displaceable relative to one another in a telescopic manner, as claimed by applicant. The consequence of such claimed structure is to change the effective length of the joint arm during an opening or closing movement. Applicant provides to the Examiner a sketch (enclosed) of the hinge in which the parts are depicted. The dash-dotted lines represent how the pivot points of the parts are connected. As is shown, the telescopically displaceable portion 24a and 24b of the joint arm 24 represent the novel feature. Beneke discloses hinge having an alternative mechanism to a spring creating a spring force which often leads to a slamming sound upon closure. Beneke discloses a damper arranged between a lever and a hinge component which includes a piston rod which is articulated to the lever for dampening the closing of the door. The damping device is positioned between functional components of the furniture hinge apparently without the need to change the dimensions and/or the structure of the hinge components to be affixed to the body of the furniture and to the door or cover. The damping device of Beneke is constructed to withstand the normal loading situation in which the door is closed by the relatively small force of the closing spring of the furniture hinge as well as the exceptional situation in which the door is activated by external influences such as manual pushing of the door to the closed position or manual opening of the door. Furthermore, the covering cap is deformed in a direction towards the cylinder during the closing motion of the hinge. Thus, it is not clear to a person of skill in the art how the damping device of Beneke can be combined with Lautenschläger's mechanism and result into applicants claimed invention in which a universal joint hinge having one of the two joint arms of the hinge mechanism comprise portions which are displaceable relative to one another in a telescopic manner. Accordingly, applicant submits that claim 1 as amended is patentable over the references.

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CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,
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